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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

SAIMALO TUSITINO,

Plaintiff,

v.

CAROLYN COLVIN,
Acting Commissioner of Social Security,¹

Defendant.

Case No.: 2:24-cv-01241-MDC

**DEFENDANT'S UNOPPOSED MOTION
FOR EXTENSION OF TIME
(FIRST REQUEST)**

Defendant, the Acting Commissioner of Social Security, respectfully requests that the Court extend the time for Defendant to respond to Plaintiff's Brief (Dkt. No. 14, filed on November 13,

¹ Carolyn Colvin became the Acting Commissioner of Social Security on November 30, 2024. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Carolyn Colvin should be substituted for Martin O'Malley as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

2024), currently due on December 13, 2024, by 28 days, through and including January 10, 2025.

Defendant further requests that all subsequent deadlines be extended accordingly.

This is Defendant's first request for an extension of time. Good cause exists for this extension because the undersigned counsel for Defendant will be out of the office the remainder of this week to present continuing legal education materials before the Western District of Washington and for scheduled leave. Additionally, within the last week, the undersigned had a high volume of deadlines to meet, including a district court brief, a Ninth Circuit answering brief, and oral argument at the Ninth Circuit. Additional time is needed to allow for a client agency response. This request is made in good faith and with no intention to unduly delay the proceedings. Defendant's counsel conferred with Plaintiff's counsel, who has no opposition to this motion.

It is therefore respectfully requested that Defendant be granted an extension of time to respond to Plaintiff's Brief through January 10, 2025.

Dated: December 10, 2024

Respectfully submitted,

JASON M. FRIERSON
United States Attorney

/s/ Michael J. Mullen
MICHAEL J. MULLEN
Special Assistant United States Attorney

IT IS SO ORDERED:

UNITED STATES MAGISTRATE JUDGE

DATED: 12-11-24

CERTIFICATE OF SERVICE

I, Michael J. Mullen, certify that the following individual(s) were served with a copy of the foregoing **DEFENDANT’S UNOPPOSED MOTION FOR EXTENSION OF TIME** on the date, and via the method of service, identified below:

By CM/ECF:

Marc Kalagian
marc.kalagian@rksslaw.com

Dated: December 10, 2024

/s/ Michael J. Mullen
MICHAEL J. MULLEN
Special Assistant United States Attorney